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1055 U.S.  
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PTO/SB/05 (08-00)

Approved for use through 10/31/2002 OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **20577-16**First Inventor **Dave B. ADAIR**Title **MOVE LOT SIZE BALANCING SYSTEM  
AND METHOD**Express Mail Label No. **EL585709366US****APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  \*Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)

2.  Applicant claims small entity status. (See 37 CFR 1.27)

3.  Specification Total Pages (Cover + 25)  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) Total Sheets (4 -- Figs 1-5)

5.  Oath or Declaration

a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
i.  DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(If applicable, all necessary)

- a.  Computer Readable Copy
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  Paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))

10.  37 C.F.R. § 3.73(b) Statement  Power of Attorney  
(when there is an assignee)

11.  English Translation Document (if applicable)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Other: \_\_\_\_\_

17. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheets under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application no.: \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

|   |               |  |                                   |                |          |   |                   |
|---|---------------|--|-----------------------------------|----------------|----------|---|-------------------|
| <input type="checkbox"/> Customer No. or Bar Code Label |               |  |                                   |                |          | or <input checked="" type="checkbox"/> Correspondence address below |                   |
| (insert Customer No. or Attach bar code label here)     |               |  |                                   |                |          |   |                   |
| Address   |               | Oppenheimer Wolff & Donnelly LLP, 2029 Century Park East, Suite 3800 |                                   |                |          |   |                   |
| City  | Los Angeles   |  | State                             | CA             | Zip Code | 90067   |                   |
| Country   | United States |  | Telephone                         | (310) 788-5000 | Fax      | (310) 788-5100  |                   |
| Name (Print/Type)                                       |               |  | Registration No. (Attorney/Agent) |                |          | 28,590  |                   |
| Signature   |               |  |                                   |                |          | Date  | December 20, 2001 |

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 824)

## Complete if Known

|                      |                 |
|----------------------|-----------------|
| Application Number   | Filed herewith  |
| Filing Date          | December , 2001 |
| First Named Inventor | ADAIR, Dave B.  |
| Examiner Name        | Not assigned    |
| Group Art Unit       | Not assigned    |
| Attorney Docket No.  | 20577-16        |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **16-2230**  
 Deposit Account Name \_\_\_\_\_

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid   |
|----------------------------|----------------------------|------------------------|------------|
| 101 740                    | 201 370                    | Utility filing fee     | <b>740</b> |
| 106 330                    | 206 165                    | Design filing fee      | _____      |
| 107 510                    | 207 255                    | Plant filing fee       | _____      |
| 108 740                    | 208 370                    | Reissue filing fee     | _____      |
| 114 160                    | 214 80                     | Provisional filing fee | _____      |

SUBTOTAL (1) (\$ 740)

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 20                 | -20** = 0    | x _____        | = _____  |
| 4                  | - 3*** = 1   | x 84           | = 84     |
| Multiple Dependent |              |                | = _____  |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 84                     | 202 42                     | Independent claims in excess of 3                          |
| 104 280                    | 204 140                    | Multiple dependent claim, if not paid                      |
| 109 84                     | 209 42                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 84)

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$)        | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|-----------------------------------|----------------------------|--|----------|
| 105 130                           | 205 65                     | Surcharge - late filing fee or oath  | _____    |
| 127 50                            | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     | _____    |
| 139 130                           | 139 130                    | Non-English specification  | _____    |
| 147 2,520                         | 147 2,520                  | For filing a request for <i>ex parte</i> reexamination                     | _____    |
| 112 920*                          | 112 920*                   | Requesting publication of SIR prior to Examiner action                     | _____    |
| 113 1,840*                        | 113 1,840*                 | Requesting publication of SIR after Examiner action                        | _____    |
| 115 110                           | 215 55                     | Extension for reply within first month                                     | _____    |
| 116 400                           | 216 200                    | Extension for reply within second month                                    | _____    |
| 117 920                           | 217 460                    | Extension for reply within third month                                     | _____    |
| 118 1,440                         | 218 720                    | Extension for reply within fourth month                                    | _____    |
| 128 1,960                         | 228 980                    | Extension for reply within fifth month                                     | _____    |
| 119 320                           | 219 160                    | Notice of Appeal   | _____    |
| 120 320                           | 220 160                    | Filing a brief in support of an appeal                                     | _____    |
| 121 280                           | 221 140                    | Request for oral hearing   | _____    |
| 138 1,510                         | 138 1,510                  | Petition to institute a public use proceeding                              | _____    |
| 140 110                           | 240 55                     | Petition to revive - unavoidable   | _____    |
| 141 1,280                         | 241 640                    | Petition to revive - unintentional   | _____    |
| 142 1,280                         | 242 640                    | Utility issue fee (or reissue)   | _____    |
| 143 460                           | 243 230                    | Design issue fee   | _____    |
| 144 620                           | 244 310                    | Plant issue fee  | _____    |
| 122 130                           | 122 130                    | Petitions to the Commissioner  | _____    |
| 123 50                            | 123 50                     | Processing fee under 37 CFR 1.17(q)  | _____    |
| 126 180                           | 126 180                    | Submission of Information Disclosure Stmt                                  | _____    |
| 581 40                            | 581 40                     | Recording each patent assignment per property (times number of properties) | _____    |
| 146 740                           | 246 370                    | Filing a submission after final rejection (37 CFR § 1.129(a))              | _____    |
| 149 740                           | 249 370                    | For each additional invention to be examined (37 CFR § 1.129(b))           | _____    |
| 179 740                           | 279 370                    | Request for Continued Examination (RCE)                                    | _____    |
| 169 900                           | 169 900                    | Request for expedited examination of a design application                  | _____    |
| Other fee (specify) _____         |                            |  |          |
| *Reduced by Basic Filing Fee Paid |                            |  |          |
| SUBTOTAL (3) (\$)                 |                            |  |          |

## SUBMITTED BY

|                   |   |                                   |        |                          |
|-------------------|---|-----------------------------------|--------|--------------------------|
| Name (Print/Type) | Marc E. Brown                           | Registration No. (Attorney/Agent) | 28,590 | Complete (if applicable) |
| Signature         | Telephone 310-788-5032<br>Date 12-20-01 |                                   |        |                          |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Washington, DC 20231